

junction because Defendants have been working diligently to comply with the Preliminary Injunction and have been communicating with Plaintiffs regarding the process. Defendants' response provides no specifics about what actions have been taken to comply with the Preliminary Injunction and no indication as to when compliance will be completed.

The Preliminary Injunction was issued, in part, based upon the Court's finding that Plaintiffs were suffering ongoing irreparable harm as a result of title to Plaintiffs' properties being held by Defendants. Defendants' conclusory statement that they are working diligently to comply with the Preliminary Injunction is insufficient to establish that the Preliminary Injunction is being complied with expeditiously.

It is therefore the Order of the Court that Defendants shall file by January 15, 2009, a summary report describing in reasonable detail what actions they have taken to expeditiously transfer title to the properties, what remains to be done, and a date or dates when the transfer of the properties will take place. Plaintiff may respond to Defendants' summary report by January 22, 2009. The Court will then either establish a date for completion of the transfer of title or set the matter for hearing.

SO ORDERED this 23rd day of December, 2008.


FRANK H. MCCARTHY
UNITED STATES MAGISTRATE JUDGE